

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

Kinimo Bernard NGORAN,

Petitioner,

-vs-

Matthew G. WHITAKER, in his official capacity as the Acting Attorney General of the United States; Thomas E. FEELEY, in his official capacity as Buffalo Field Office Director for U.S. Immigration and Customs Enforcement and Legal Warden, Jeffrey J. SEARLS, Facility Director of Buffalo Federal Detention Facility and the U.S. DEPARTMENT OF HOMELAND SECURITY,

TEMPORARY RESTRAINING ORDER AND
ORDER TO APPEAR

Case No. Case No. 19-cv-156
Agency Number: 016-091-451

Respondents.

Siragusa, J. Upon consideration of Petitioner's Motion for a Temporary Restraining Order and for Preliminary Injunctive Relief, the Memorandum of Law in Support of the Motion, Petitioner's Verified Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief ("Petition") pursuant to 28 U.S.C. § 2241; the All Writs Act, 28 U.S.C. § 1651; the Immigration and Nationality Act ("INA") the Administrative Procedure Act ("APA"), 5 § 701, and Article I, Section 9, Clause 2 of the United States Constitution (Suspension Clause), and together with the exhibits annexed thereto,

IT IS HEREBY ORDERED that:

Respondents ARE HEREBY RESTRAINED from transferring the Petitioner from the State of New York, without further Order of this Court; and


Service of this Order shall be effected by Petitioner on the United States Attorney for the Western District of New York by any means agreed to by the United States Attorney for the Western District of New York or his designee, but not later than 3 p.m. on February 1, 2019, and shall constitute good and sufficient service; and

Respondent's counsel and a representative from the United States Attorney's Office shall appear before the undersigned on Monday, February 4, 2019, at 11:00 a.m. at Courtroom 3,

United States Courthouse, 100 State Street, Rochester, NY 14614, to discuss further proceedings in this matter.

IT IS SO ORDERED:

Dated: February 1, 2019 at 12:35 pm
Rochester, New York



CHARLES J. SIRAGUSA
UNITED STATES DISTRICT JUDGE